01 January 2026

CITIZENS-LEGISLATIVE BILLPROPOSAL-FOR-CONGRESS/SENATE FOR ACTION

TO: Honorable Ted Cruz; Other Senators; Senate Staff

Congressman: Eli Crane,Tim Burchett, Chip Roy, Anna Paulina Luna, Nancy Mace-Other Non Commie Reps

FROM: Jesse R., (SOG-ISS) Highly Concerned Citizen

This text takes the original Communist Control Act and removes all sections that were previously deemed by a court as Unconstitutional. It has been re-worded to reflect current rulings and addresses our current situation. Additional language should be added to address Marxism, not criminalizing thought, but acts of subversion.

Based on the original text of the Communist Control Act of 1954 (Public Law 83-637) and modern constitutional standards regarding free speech and due process, here is a rewritten version of the Act.

This revision removes the unconstitutional "outlawing" of a political party and the criminalization of mere membership (which violates the First Amendment freedom of association and Fifth Amendment due process). Instead, it reframes the language to focus on **illegal conduct**—specifically acts of violence, espionage, and seditious conspiracy—while preserving the original legislative intent to protect national security.

The Subversive Activities and Foreign Influence Control Act of 2025

(Revised from the Communist Control Act of 1954 to align with modern Constitutional Jurisprudence)

SECTION 1. SHORT TITLE This Act may be cited as the **"Subversive Activities and Foreign Influence Control Act of 2025"**.

SECTION 2. FINDINGS OF FACT AND DECLARATION OF PURPOSE The Congress finds and declares that: (1) Certain foreign adversaries and non-state actors continue to utilize covert networks and front organizations within the United States to advance hostile objectives,

including espionage, sabotage, and the incitement of violence. (2) While the Constitution guarantees the right to advocate for political change, it does not protect conspiracies to commit acts of violence, espionage, or the forceful overthrow of the United States Government. (3) Organizations that operate under the direct control of hostile foreign powers to facilitate illegal acts pose a "clear and present danger" to the security of the United States. (4) Therefore, it is the purpose of this Act to provide legal mechanisms to identify, prosecute, and sanction individuals and organizations engaged in such criminal conspiracies, while strictly preserving the rights of free speech, assembly, and due process guaranteed by the Constitution.

SECTION 3. PROSCRIBED CRIMINAL CONDUCT (a) **Seditious Conspiracy and Violent Acts:** It shall be unlawful for any person to knowingly and willfully conspire with others to: (1) Overthrow, put down, or to destroy by force the Government of the United States; (2) Levy war against them; (3) Oppose by force the authority thereof; or (4) Seize, take, or possess any property of the United States contrary to the authority thereof.

(b) **Material Support to Hostile Foreign Operations:** It shall be unlawful for any person to knowingly provide material support or resources to any foreign terrorist organization or designated foreign intelligence service, knowing that the organization has engaged or engages in terrorist activity or espionage.

SECTION 4. DETERMINATION OF ILLEGAL PARTICIPATION In determining whether an individual is a criminally liable participant in a conspiracy described in Section 3, a jury shall consider evidence of **specific intent** to further the illegal aims of the organization. Mere membership or peaceful political advocacy shall not be sufficient for conviction. Evidence of participation may include: (1) Engaging in acts of espionage, sabotage, or violence at the direction of the organization; (2) Knowingly distributing classified information to unauthorized persons on behalf of the organization; (3) Receiving financial compensation or material assets from a hostile foreign power for the specific purpose of facilitating illegal acts; (4) Executing specific operational directives, orders, or plans involving criminal conduct; (5) Procuring weapons, explosives, or other instrumentalities of crime for the organization.

SECTION 5. INFILTRATED ORGANIZATIONS AND LABOR UNIONS (a) **Definition:** A "Foreign-Infiltrated Organization" is defined as an organization substantially directed, dominated, or controlled by active agents of a hostile foreign power for the purpose of incapacitating critical infrastructure or national defense capabilities. (b) **Legal Process:** (1) The Attorney General may petition a federal court for a determination that an organization is a Foreign-Infiltrated Organization. (2) The organization shall be afforded full due process, including notice, the right to counsel, and the right to present evidence. (c) **Sanctions:** Upon a judicial finding that an organization is Foreign-Infiltrated: (1) The organization shall be ineligible to serve as a representative bargaining agent before the National Labor Relations Board; (2) The organization may be subject to asset forfeiture under existing federal law regarding the proceeds of crime or espionage.

SECTION 6. SEVERABILITY If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provisions to other persons or circumstances shall not be affected thereby.

Key Constitutional Adjustments Made:

1. **Removed "Outlawing" of a Party:** The original Act explicitly declared the Communist Party illegal. The Supreme Court has since ruled that the government cannot ban a political party or punish abstract advocacy of overthrowing the government (see *Brandenburg v. Ohio*, 1969). The revision focuses on **conspiracy to commit violence** rather than political identity.
2. **Specific Intent Requirement:** The original Act criminalized "membership". To satisfy *Scales v. United States* (1961), the revision requires **"specific intent"** to further the group's illegal aims, distinguishing between passive members and active conspirators.
3. **Removal of "Classless" Evidence:** The original Act listed vague criteria for membership (e.g., "indicated by word... a willingness to carry out plans"). The revision replaces these with concrete **criminal acts** (espionage, violence, material support) to avoid vagueness and overbreadth challenges.
4. **Due Process for Organizations:** The original Act allowed administrative boards to determine "Communist-infiltrated" status. The revision moves this authority to **federal courts**, ensuring full judicial due process before stripping rights.

THE FOLLOWING INCLUDES SUBVERSIVE & SEDITOUS ACTS
Here is the updated **Subversive Activities and Foreign Influence Control Act of 2025**, revised to explicitly categorize and define **"Discrete" (Covert)** and **"Overt"** acts of subversion.

This version extracts the original "indicia of participation" from **Section 5 of the Communist Control Act of 1954** (which listed 14 types of evidence for jury consideration) and modernizes them. To ensure constitutionality, these acts are no longer treated as mere evidence of "status" or "membership," but as **predicate criminal acts** requiring specific intent to further a conspiracy.

The Subversive Activities and Foreign Influence Control Act of 2025

(Amended to Include Enumerated Acts of Subversion)

SECTION 1. SHORT TITLE This Act may be cited as the **"Subversive Activities and Foreign Influence Control Act of 2025"**.

SECTION 2. FINDINGS AND PURPOSE *(Unchanged from previous draft)*

SECTION 3. PROSCRIBED CRIMINAL CONDUCT It shall be unlawful for any person to knowingly and willfully conspire with a Foreign-Infiltrated Organization or hostile foreign power to commit any of the **Discrete** or **Overt Acts** defined in Section 4, with the **specific intent** to overthrow the Government of the United States or to forcibly incapacitate its national defense.

SECTION 4. ENUMERATION OF DISCRETE AND OVERT ACTS In determining whether an individual is a criminally liable participant in a subversive conspiracy, the jury shall consider evidence of the following conduct. The commission of these acts, when coupled with specific intent to advance the illegal aims of the organization, shall constitute prima facie evidence of participation.

(a) DISCRETE (COVERT/CLANDESTINE) ACTS OF SUBVERSION

Reframed from 1954 Act: "Conferring with officers," "Acting as agent/courier," "Subject to discipline," "Financial contribution."

It shall be a criminal act to covertly facilitate the logistical or operational security of a proscribed organization by:

1. **Clandestine Command and Control:** Knowingly receiving, accepting, or executing non-public operational directives, codes, or disciplinary orders from a known agent of a hostile foreign power or Foreign-Infiltrated Organization.
2. **Illicit Courier and Communication Activities:** Acting as a courier, conduit, or intermediary for the transmission of classified information, sensitive data, or encrypted operational instructions, with the intent to evade detection by United States counter-intelligence.
3. **Covert Financial Sustainment:** Providing unreported financial assets, cryptocurrency, or material resources to a Foreign-Infiltrated Organization through laundered channels, shell companies, or non-attributable funding streams for the purpose of financing illegal operations.
4. **Operational Security and Evasion:** Taking specific, discrete measures to conceal the identity of the organization's members or the source of its foreign direction, including the destruction of evidence or the use of tradecraft to evade lawful surveillance.
5. **Cyber-Infiltration and Espionage:** Engaging in unauthorized access to government or critical infrastructure computer networks (cyber-intrusion) to procure non-public information for the benefit of the organization.

(b) OVERT ACTS OF SEDITION AND FORCE

Reframed from 1954 Act: "Recruiting," "Speaking/writing in promotion," "Participation in training," "Willingness to carry out plans."

It shall be a criminal act to openly advance the violent or seditious aims of a proscribed organization by:

1. **Paramilitary Training and Instruction:** Knowingly participating in, or providing instruction for, paramilitary training, urban warfare simulation, or sabotage techniques, knowing that such training is intended to be used in a civil disorder or to oppose the authority of the United States.
2. **Seditious Recruitment:** Overtly soliciting or inducing others to join a conspiracy with the specific knowledge that the group is engaged in illegal acts of violence or the forceful overthrow of the government (distinguished from protected political advocacy).
3. **Procurement of Weaponry:** The purchase, storage, or distribution of firearms, explosives, or dual-use technologies for the specific purpose of arming a Foreign-Infiltrated Organization for violent conflict.
4. **Physical Sabotage:** The willful destruction, damage, or obstruction of critical infrastructure, defense facilities, or public communication systems to facilitate the organization's political objectives.
5. **Incitement to Imminent Lawless Action:** Directing public speech or writing to a specific group that is intended to, and likely to, incite imminent violent action against federal officers or government property (satisfying the *Brandenburg* standard).

SECTION 5. JUDICIAL DETERMINATION OF FOREIGN-INFILTRATED ORGANIZATIONS
(Maintained from previous draft - shifts authority from Administrative Boards to Federal Courts)

SECTION 6. CONSTITUTIONAL SAVINGS CLAUSE Nothing in this Act shall be construed to prohibit the peaceful advocacy of political change, mere membership in any organization without specific intent to further its illegal activities, or the exercise of rights guaranteed by the First Amendment. Prosecution under Section 4 requires proof that the defendant knowingly committed a Discrete or Overt Act with the specific intent to further the unlawful goals of the organization.

VERSION 3.0-

The National Security and Foreign Influence Countermeasures Act of 2025

(Revised from the Internal Security Act of 1950)

SECTION 1. SHORT TITLE This Act may be cited as the **"National Security and Foreign Influence Countermeasures Act of 2025"**.

SECTION 2. FINDINGS AND PURPOSE Congress finds that hostile foreign powers and non-state actors continue to utilize covert networks, espionage, and cyber-infiltration to undermine the national security of the United States. Unlike legitimate political movements, these conspiracies seek to forcefully overthrow the government or incapacitate critical infrastructure through specific criminal acts. The purpose of this Act is to provide law enforcement with the tools to detect and prosecute these active security threats while strictly preserving the constitutional rights of free speech, assembly, and due process.

SECTION 3. DEFINITIONS (1) **"Foreign-Directed Seditious Organization"** means any organization within the United States which: (A) Is substantially directed, dominated, or controlled by a hostile foreign government or foreign terrorist organization; and (B) Engages in a pattern of criminal activity, including espionage, sabotage, or the solicitation of violence, for the purpose of overthrowing or coercing the Government of the United States. (2) **"Material Support"** means any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, and transportation.

SECTION 4. PROHIBITED ACTS & SEDITIOUS CONSPIRACY (a) **Conspiracy to Commit Sedition:** It shall be unlawful for any person to knowingly conspire with any other person to: (1) Overthrow, put down, or destroy by force the Government of the United States; (2) Levy war against them; (3) Oppose by force the authority thereof; or (4) Seize, take, or possess any property of the United States contrary to the authority thereof. (b) **Material Support to Foreign Adversaries:** It shall be unlawful for any person to knowingly provide material support or resources to a designated Foreign-Directed Seditious Organization, knowing that the organization engages in terrorism, espionage, or violent sedition.

SECTION 5. PROTECTION OF CLASSIFIED INFORMATION (a) **Unauthorized Disclosure:** It shall be unlawful for any officer or employee of the United States to knowingly communicate classified information to any agent or representative of a foreign government or Foreign-Directed Seditious Organization, unless specifically authorized. (b) **Unauthorized Receipt:** It shall be unlawful for any foreign agent or member of a Foreign-Directed Seditious Organization to knowingly receive or attempt to receive classified information to which they are not entitled.

SECTION 6. EMPLOYMENT RESTRICTIONS (a) **Defense Facilities:** It shall be unlawful for any individual who is a knowing and active member of a Foreign-Directed Seditious Organization, with specific intent to further its illegal aims, to hold employment in any sensitive defense facility designated by the Secretary of Defense, where such employment would pose a direct threat to national security. (b) **Disclosure:** Any individual seeking employment in a sensitive defense facility must disclose any active affiliation with organizations designated as foreign terrorist organizations or foreign intelligence services.

SECTION 7. JUDICIAL OVERSIGHT & DESIGNATION (a) **Designation Process:** The Attorney General may petition a federal court to designate an entity as a Foreign-Directed

Seditious Organization. The organization shall be afforded full due process, including notice, the right to counsel, and the right to present evidence challenging the designation. (b) **Burden of Proof:** The government must prove by clear and convincing evidence that the organization meets the definition in Section 3 and is actively engaged in illegal conduct, not merely protected political advocacy.

SECTION 8. IMMIGRATION AND NATURALIZATION (a) **Inadmissibility:** Aliens who are active members of Foreign-Directed Seditious Organizations, or who endorse or espouse terrorist activity or persuade others to endorse or espouse terrorist activity or support a terrorist organization, are inadmissible to the United States. (b) **Deportation:** Any alien who engages in espionage, sabotage, or seditious conspiracy, or who provides material support to a Foreign-Directed Seditious Organization, shall be deportable.

SECTION 9. SEVERABILITY If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act shall not be affected thereby.

SECTION 10. SAVINGS CLAUSE Nothing in this Act shall be construed to prohibit the peaceful advocacy of political change, mere membership in any organization without specific intent to further its illegal activities, or the exercise of rights guaranteed by the First Amendment. Prosecution under this Act requires proof of specific intent to commit or facilitate criminal acts.

S//JESSE ROBERT